

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-5 are currently being prosecuted. The Examiner is respectfully requested to reconsider her rejections in view of the remarks as set forth below.

Telephone Interview

Applicant notes with appreciation the telephone interview conducted with Examiner Ruddock on March 14, 2006. During that interview, Applicant's attorney explained that the Lorenzi et al. reference described a polymeric mesh sponge with a second layer being formed on the outside of the sponge. While no agreement was reached as to allowability, it was agreed that Applicant would file a response pointing out the differences between the prior art and the present claimed invention. Accordingly, the present response is being presented.

Rejection Under 35 USC 102

Claims 1-5 stand rejected under 35 USC 102 as being anticipated by Lorenzi et al. (U.S. Patent 6,322,801). This rejection is respectfully traversed.

The Examiner states that the reference shows a polymeric net arranged with a non-woven ply. The non-woven ply may also be a polymeric mesh sponge. The Examiner points out that Lorenzi et al. has a second layer which can be a film which the Examiner equates to the resin of the present invention.

Applicant submits that claim 1 is not anticipated by this reference. Claim 1 describes a resilient and colored bath sponge having woven sponge fibers formed in a mesh structure. More

importantly, claim 1 describes that each of the sponge fibers includes a foam body and a resilient and colored resin layer which completely covers the foam body. This arrangement is seen in Fig. 4 where the foam body is number 12 and the resin layer 13 completely covers the foam body 12 of each fiber. Applicant submits that this is not seen in the Lorenzi et al. reference where, at best, the sponge as a whole is covered with the resin layer. Applicant submits that the Examiner has misinterpreted the claim where the foam body and the resin layer are part of each sponge fiber.

This arrangement is not at all seen in the reference. Instead, the layer of Lorenzi et al. can be a film for providing a different texture side to the article. It appears that this layer is applied to the outer surface of the sponge rather than to each individual fiber. Applicant submits that this limitation has been overlooked by the Examiner. Since the Lorenzi et al. reference does not show that each fiber includes a resin layer which completely covers the foam body of the fiber, Applicant submits that claim 1 is allowable.

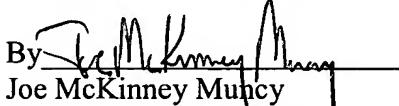
Claims 2-5 depend from claim 1 and as such are also considered to be allowable. In addition, each of these claims recite additional features which makes these claims additionally allowable.

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner. Accordingly, reconsideration of the rejection and allowance of all of the claims are respectfully requested.

Dated: April 4, 2006

Respectfully submitted,

By 
Joe McKinney Muncey
Registration No.: 32,334
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant